

**REMARKS**

Claims 1-23, 27, 28, 30-44 are pending in the application; claims 24, 25, 26, 29 are canceled.

**Specification**

5 The examiner objected to the abstract on file. A new abstract is provided to replace the abstract on file.

**Rejection under 35 U.S.C. 102**

Claims 1-7, 9, 18-25, 28-29, 39-44 stand rejected under 35 U.S.C. 102(b) as being anticipated by *Gunter Jr. et al. (US 4,071,997)*.

10 **Claim 1** has been amended by including an erecting device for moving the first article from a horizontal position into an upright position and transporting the first article in the transport direction while being in the upright position. The cited prior art reference does not show such a device. In the prior art device, the folding assembly 60 with ramp 61  
15 arranged between the two adhesive applicator stations 47 and 77 has only the task of folding the rear and front panels 7, 8 of the envelope 6a onto one another for closing the envelope 6a in this way (see Figs. 12, 13, 14) . The folding assembly 60 therefore does not move the envelope in its entirety from a horizontal position into a vertical or upright position and does not transport the envelope in the upright position. Instead, only the front panel 7 and the flap 9 of the envelope 6a are moved into an angled position; upon further  
20 movement of the rear panel 8 in the horizontal plane past the ramp 61, the front panel 7 is folded onto the rear panel 8 (Fig. 14) - the envelope 6a is transported in the horizontal position. An erecting unit as claimed in claim 1 is not disclosed or suggested by the cited prior art reference. Claim 1 is believed to be allowable.

25 **Claim 18** shows two different transport directions 33, 99 and 32, 97 that are related to the position of the vacuum drums 8, 81 and the transporting device transporting the articles away from the drum in a direction perpendicularly to the transport direction of the vacuum drum. A vacuum drum is not disclosed in the cited prior art reference - the cited prior art reference *Gunter Jr.* employs conventional transporting means such as rollers. However, a vacuum drum is disclosed in the secondary reference to *Helm* that has been

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applied to claims 12-17. *Helm* however does not show that articles are transported away from the vacuum drum in a direction that is perpendicular to the transport direction of the vacuum drum, as claimed in claim 18. Claim 18 is therefore neither anticipated by *Gunter Jr.* nor is it obvious in view of the combination of the primary and secondary references.

5 Claim 18 is therefore believed to be allowable.

The deflection unit 93 claimed in **claim 23** is also not disclosed in the cited prior art reference to *Gunter Jr.* The deflecting chute 25 of the prior art reference is only provided in order to guide the articles transported on the device to an upper or a lower path. The chute 25 is adjustable by means of the moving mechanism 26 between an upper and a lower position as described in col. 3, lines 25 to 31. Depending on the position of the chute 25, the articles are transported on the upper or a lower assembly.

The "deflection" unit 93 of the present invention, in contrast to the deflecting chute 25, is a device for transporting the articles from a first into a second transport direction that is perpendicular to the first transport direction. By means of the vacuum drum 8, the articles are transported in the first transport direction to the stop 6. Subsequently, the articles that rest against the stop 6 are transported by the transport device 93 in the transport direction 99 that is **perpendicular** to the incoming feeding direction 97 of the articles (see Fig. 4). In this connection, the transport rollers 94 each have a flattened side 95. When the articles are transported in the transport direction 97 to the stop 6 (see Fig. 4), the transport rollers 94 are arranged such that their flattened sides 95 are positioned at a spacing to one another (see Fig. 5). In this way, the edge area of the articles supplied in the transport direction 97 can move into the free space between the two transport rollers 94. This position is illustrated in Fig. 5 of the present application. Subsequently, the two transport rollers 94 are rotatably driven in the direction of the arrows illustrated in Fig. 5 so that the articles 1" can now be transported in the transport direction 99 (see Fig. 4), i.e., perpendicularly to the transport direction 97 of the incoming articles.

Such a configuration of a deflecting device is not disclosed in the cited prior art reference. The cited prior art reference shows cylindrical rollers that rest against one another. The rollers have no flattened side and no free space between the rollers. Such a free space is required when feeding the articles into the nip of the rollers in a direction

parallel to the rotational axis of the rollers (direction 97 in Fig. 4). The prior art configuration does not allow insertion of articles into the nip between the rollers in the direction of the roller axis.

5 The flattened transport rollers 94 of the present invention thus facilitate feeding of the articles to be transported into a position between the rollers. As illustrated in Fig. 5 of the present application, even stacks of a considerable thickness can be transported properly into the nip between the transport rollers 94 because the rollers 94 are positioned with their flattened sides 95 at a sufficient spacing relative to one another. In this way, it is possible to feed the articles (1" in the illustration) in a direction **parallel** to the rotational  
10 axes of the transport rollers 94 (direction is indicated at 97 in Fig. 4) and to transport the articles subsequently in a direction **perpendicular** to the roller axes (direction 99 in Fig. 4). Such a configuration is not disclosed or suggested in the cited prior art reference. Claim 23 is therefore believed to be allowable.

**Rejection under 35 U.S.C. 103**

15 Claims 8, 11, 26-27, 30-38 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Gunter, Jr. et al.*

20 **Claim 31** defines a folding unit 67, 86 having at least one folding element 70, 71; 87, 88 that is adjustable transverse to a transport direction of the first and second articles, wherein the folding element 70, 71; 87, 88 is a roller rotatable about an axis that extends in the transport direction of the first and second articles. Such an arrangement of the folding element in the form of a roller that has an axis of rotation extending in the transport direction of the article to be folded is not disclosed in the prior art reference. The prior art discloses only the folding mechanism 50 that has rollers with axes extending **transversely to the transport direction**. Claim 31 should therefore be allowable.

25 **Claim 35** defines that the folding element 70, 71; 87, 88 in the transport direction of the first and second articles 1, 1", 57 is positioned behind erecting means 68, 69; 89 that are arranged in a movement path of laterally projecting flaps 65, 66; 79 of the first article 1'. The erecting means have the task of moving the lateral flaps into an upright position before the article reaches the folding elements. As shown in Fig. 1, the article is positioned

at a slant on the transport belts 61 and 62 so that triangular flaps project laterally. These triangular flaps are engaged by the erecting means and moved into an upright position.

Such erecting means are not disclosed or suggested in the cited prior art reference. The prior art shows only a folding mechanism 50 but no erecting means arranged  
5 upstream of the folding mechanism in order to position horizontal flaps in an upright position so that the folding device can properly act on the flaps. Claim 35 is therefore believed to be allowable.

Claims 12-17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over  
10 *Gunter, Jr. et al.* and *Helm* (US 3,593,486).

Claims 12-17 are believed to be allowable as dependent claims of claim 1.

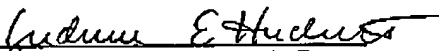
### CONCLUSION

In view of the foregoing, it is submitted that this application is now in condition for allowance and such allowance is respectfully solicited.

Should the Examiner have any further objections or suggestions, the undersigned  
15 would appreciate a phone call or e-mail from the examiner to discuss appropriate amendments to place the application into condition for allowance.

Authorization is herewith given to charge any fees or any shortages in any fees required during prosecution of this application and not paid by other means to Patent and  
20 Trademark Office deposit account 50-1199.

Respectfully submitted on January 16, 2004.

  
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